

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SYLVESTER JAMES MAHONE,

Plaintiff/Appellant,

v.

PIERCE COUNTY, et al,

Defendant/Appellees.

CASE NO. C10-5847RBL

ORDER

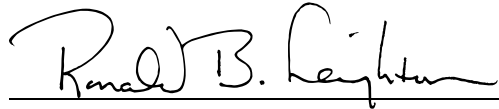
THIS MATTER comes on before the above-entitled court upon referral from the United States Court of Appeals for the Ninth Circuit for the limited purpose of determining whether plaintiff's appeal is taken in good faith. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

For the reasons stated in the Magistrate Judge's two Reports and Recommendations [Dkt. #s 39, 40], the Court hereby certifies that this appeal is not taken in good faith. The underlying lawsuit was, and this appeal is, frivolous. See Fed. R. App. P. 24(a)(3)(A).

**IT IS SO ORDERED.**

1 The Clerk shall send uncertified copies of this order to all counsel of record, to any party  
2 appearing pro se, and to the United States Court of Appeals for the Ninth Circuit.

3 Dated this 26<sup>th</sup> day of August, 2011.

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6 RONALD B. LEIGHTON  
7 UNITED STATES DISTRICT JUDGE  
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